

CHAPTER 8
IMPLEMENTING FUNCTIONS

Section 1. Authority.

Wyoming Statute 21-18-202(c), (e), (f), (g), (h) and (i).

Section 2. Purpose.

This chapter defines the Commission's implementing functions.

Section 3. Establishing Reasonable Data Submission Timelines.

(a) The Commission shall establish reasonable deadlines for the submission of data. Timelines shall depend on the complexity and the amount of data to be collected.

(b) The collection schedule of survey data for outcome indicators shall be established at the beginning of the year in which data are to be collected or shall be noted in the *Data Collection & Reporting Requirements Handbook*.

(c) The procedure for collection of data elements from the ACS shall be stated in the *Data Collection & Reporting Requirements Handbook*.

(d) The collection of information for ad hoc requests such as legislative data requests or those from national organizations shall follow the procedure approved by the Executive Council.

Section 4. Assuring Uniform Accounting Practices.

(a) The community colleges shall adhere to the NACUBO standards and to the AICPA standards in accounting to insure uniform accounting of financial data.

(b) The fiscal operations of the community colleges shall comply with the Uniform Municipal Fiscal Procedures Act W.S. 16-4-101 through 16-4-124.

(c) Where conflicts exist between the Uniform Municipal Fiscal Procedures Act and NACUBO practices, the Uniform Municipal Fiscal Procedures Act shall take precedence.

(d) The process by which the community colleges' annual budgets are established shall conform to the provisions of the Uniform Municipal Fiscal Procedures Act.

Section 5. Withholding State Appropriations.

(a) The Commission may withhold up to five percent (5%) of state appropriations from any community college not in compliance with statute or the rules of the Commission pursuant to W.S. 21-18-202 (f)(iii).

(i) Any appropriation amount withheld shall be subject to the following procedural requirements:

(A) Community colleges not in compliance with the *Commission Rules* shall receive written notice of noncompliance at least sixty (60) days prior to the withholding of any amount of appropriation authorized by the legislature. The written notice shall identify the amounts to be withheld from quarterly funding distributions and the conditions required to resume or restore funding. Community colleges identified as noncompliant may request a hearing before the Commission under the provisions of Chapter 2, Section 10 of *Commission Rules*.

(B) Community colleges not in compliance with the *Commission Rules* may have withheld amounts restored, or future reductions eliminated, or both, by demonstrating compliance.

(b) Actions to withhold state appropriations from community colleges are subject to judicial review under the provisions of W.S. 16-3-114.

Section 6. Advancing Legislative Proposals.

(a) Proposals for legislative action on behalf of the community colleges shall be submitted to the executive director for inclusion on the agenda of the Executive Council to initiate collaborative discussion according to the *WCCC Policy on Consultation*.

(b) Upon approval of the Executive Council a legislative proposal shall be communicated to the commissioners by the executive director.

Section 7. Adopting Rules and Regulations

(a) If any provision of *Commission Rules* is held invalid, all other rules shall remain valid and effective.

(b) Amendments to *Commission Rules* shall be promulgated under the Wyoming Administrative Procedure Act W.S. 16-3-101 through 16-3-115.